



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/921,961	08/02/2001	Yashwanth Kumar Rajaram	OR01-02701	7661

22835 7590 07/28/2004

PARK, VAUGHAN & FLEMING LLP
508 SECOND STREET
SUITE 201
DAVIS, CA 95616

EXAMINER

WINTER, JOHN M

ART UNIT	PAPER NUMBER
----------	--------------

3621

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/921,961

Applicant(s)

RAJARAM, YASHWANTH KUMAR

Examiner

John M Winter

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 18 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,11-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,9 and 17 is/are rejected.
- 7) ☒ Claim(s) 3-8,11-16 and 19-24 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1,3-9,11-17 and 19-24 remain pending.

Response to Arguments

The Applicants arguments filed on May 18, 2004 have been fully considered. The Examiner states that the amended claims are rejected in view of newly discovered reference Schneier (Applied Cryptography 2nd edition). See following rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 9 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen et al., (US Patent No 5,590,197) in view of Franklin et al (US Patent No 6,000,832) and further in view of Schneier (Applied cryptography 2nd edition

As per claim 1,

Chen et al. ('197) discloses a method that facilitates secure electronic commerce, comprising:

providing a consumer with a file of security data relating to an account maintained by a financial institution;(Column 6, lines 12-18)

creating a financial transaction between the consumer and a merchant, wherein the financial transaction is protected using security data from the file, and wherein the financial transaction is structured to contain an account number in a form that is undecipherable by the merchant, thereby prevent the merchant from knowing the account number for the account;(Column 6, lines 33-38)

requesting by the merchant that the financial institution authorize the financial transaction;(Column 6, lines 51-54)

receiving by the merchant an authorization from the financial institution to complete the financial transaction;(Column 6, lines 55-57)

Chen et al. ('197) does not explicitly disclose validating by the merchant that the financial institution identified by the financial transaction is acceptable using security data from the file; completing the financial transaction between the consumer and the merchant; and notifying the financial institution that the financial transaction is complete.

Art Unit: 3621

Franklin et al ('832) discloses validating by the merchant that the financial institution identified by the financial transaction is acceptable using security data from the file;(Column 2, lines 47-60) completing the financial transaction between the consumer and the merchant;(Figure 7) and notifying the financial institution that the financial transaction is complete.(Figure 7) It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Chen et al method with the Franklin et al method in order to allow the merchant to realize a profit from the sale of merchandise.

Chen et al. ('197) does not explicitly disclose wherein the file of security data includes: a consumer identifier. a private key for encryption and authentication of data- a first public key related to the private key for decryption and authentication of data an identifier identifying the financial institutions a second public key belonging to the financial institutions the account number that has been encrypted with a key known only to the financial institution creating an encrypted account number, a first certificate supplied by a recognized certificate authority that validates the financial institutions a second certificate signed by the financial institution that validates the consumer. And computer algorithms to use the file of security data. Schneier discloses wherein the file of security data includes: a consumer identifier. a private key for encryption and authentication of data a first public key related to the private key for decryption and authentication of data an identifier identifying the financial institutions a second public key belonging to the financial institutions the account number that has been encrypted with a key known only to the financial institution creating an encrypted account number, (Pages 41-44, "Digital signatures with encryption") a first certificate supplied by a recognized certificate authority that validates the financial institutions a second certificate signed by the financial institution that validates the consumer. And computer algorithms to use the file of security data.(Pages 42-434, "Resending the message as a receipt") It would be obvious to one having ordinary skill in the art at the time the invention was made to combine the Chen et al method with the Schneier method in order to allow the merchant to realize a profit from the sale of merchandise

Claims 9 and 17 are in parallel with claim 1 and are rejected for at least the same reasons.

Allowable Subject Matter

Claims 3-8, 11-16 and 19-24 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Examiners note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the

Art Unit: 3621

specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW
March 22, 2004



JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600